IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO

CHAD CUNNINGHAM,

Plaintiff,

VS.

No. CIV 10-0451BB/RLP

THE REGENTS OF THE UNIVERSITY OF NEW MEXICO, UNIVERSITY OF NEW MEXICO SCHOOL OF MEDICINE, THE NEW MEXICO SCHOOL OF MEDICINE and the NATIONAL BOARD OF MEDICAL EXAMINERS,

Defendants.

NOTICE OF UNAVAILABILITY

COMES NOW Dennis W. Montoya, counsel for Plaintiff, and hereby gives notice that he will be unavailable on the following date: **December 27 through December 31**, **2010**.

Counsel respectfully requests that no trials, hearings, depositions, discovery deadlines or other matters be scheduled during the specified period.

Respectfully submitted,

/s/ Dennis W. Montoya
Dennis W. Montoya
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(505) 246-8599 (Facsimile)

I hereby certify that a true and correct of the foregoing was filed and served to opposing counsel of record electronically via the Court's electronic filing system on November 2, 2010.

/s/ Dennis W. Montoya

Dennis W. Montoya